

CITY OF WILDER, KENTUCKY

INCOMING CORRESPONDENCE

United States Department of the Interior – Advising the receipt of the Biennial report for Frederick's Landing.

Municipal Government League of No. Ky – Invitation to the annual dinner meeting on November 20, 2010 at Summit Hills Country Club.

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OUTGOING CORRESPONDENCE

Century Construction, Hemmer Industries, Hermes Construction, J. A. Doepker Associates, EGC Construction Corp., Radius Construction, Paul Hemmer Companies - RFP for a new salt storage facility and addition to the new maintenance facility.

CITY OF WILDER, KENTUCKY

CITY COUNCIL MEETING

September 20, 2010

The regular meeting of the Wilder City Council was held on Monday, October 4, 2010 at the Wilder City Building, 520 Licking Pike, Wilder, Kentucky 41071.

Lords Prayer

Pledge of Allegiance to the Flag

Call to Order:

Mayor Turner called the meeting to order at 7:00 p.m.

Roll Call:

Roll call was answered by Councilman Blankenship, Councilman Dinn, Councilwoman Gearding, Councilman Herald, Councilman Martin and Councilwoman Wilson.

Approval of Minutes:

Upon motion of Councilman Blankenship, seconded by Councilman Herald, to approve the Minutes of September 20 2010, Regular Meeting. Mayor Turner called for a vote. Motion carried unanimously.

Incoming and outgoing correspondence copied to Council prior to the meeting.

Reports Presented:

Maintenance Department Report	September
Police Department Report	September

Attorney's Report:

Attorney Verst had nothing to report.

Citizen's Comments:

J. R. Roth distributed a flier describing the Justice of the Peace System which will be on the November 2nd, 2010 ballot, and explained the differences between it and the current form of government for the county.

Councilman Martin asked Mr. Roth to explain how they arrive at the number 8.

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Mr. Roth explained that when the census was taken they have redefined the districts. The number 8 is based on the population. The maximum allowed for this county by KRS is 8 and a district is 11,000 people.

Councilman Blankenship asked how many counties are currently under this form of government.

Mr. Roth stated there are 104 counties out of 120 are under the Justice of the Peace System.

Attorney Verst stated that this issue is coming up on the ballot and it is more appropriate to have both sides present. There is going to be a debate at the Southgate Community Center sometime in October.

Councilman Martin stated that the opponents of this believe that if it is changed to the Justice of the Peace System that the majority of the justice of the peace would be from the northern part of the county. Mr. Martin asked what the population divides from 275 north and south.

Mr. Roth said currently today all of the representatives are north of 275. The population base would be 4 or 5 districts under the Justice of the Peace north of 275. The possibility of there being more from the south is not true. All this does is bring a representative to your neighborhood.

Kevin Gordon, Board of Directors of Signal Hills, addressed council to consider taking over the streets in their development.

Mr. Gordon added that he has noticed many others who do not reside in Signal Hill use the mail box located in the complex, he also seen the school bus enter the facility and a Tank Bus therefore doesn't feel this is a private area.

Mr. Gordon advised that the residents also contribute taxes in motor vehicles and insurance premiums over and above property taxes so the amount of taxes paid has increased.

He also mentioned that the term Road is only mentioned in the master deed once and does feel that it deserves a thorough review by the city.

There are many other cities that have taken over developments such as theirs. The streets in the development are in very good shape.

Councilman Dinn thanked the residents for coming out. He stated that are here to serve them and would like to understand the mechanics of this. These are complex. He asked if they were incorporated under the homeowners association with a current budget.

Mr. Gordon stated that they were.

Councilman Dinn asked if the city has a copy of their by-laws.

Mr. Gordon was not aware if the city has them.

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Mr. Vance stated that he doesn't have a copy of Signal Hills By-Laws.

Councilman Dinn questioned if these were created 13 years ago as private drives maintained by their association.

Mr. Gordon stated that he hasn't been able to find anything that says that.

Attorney Verst advised that he has a copy of the plat which shows they are private drives.

Councilman Dinn asked if they had a budget and maintenance records of the roads.

Mr. Gordon stated that they do.

Councilman Dinn asked if the roads were built as private drives to county and city specifications.

Mr. Vance is not sure what specifications other than what Henry Fischer proposed on their drawings. The problem is with the design and layout. We have never checked on the thickness of pavement.

Mr. Gordon believes the issues with the closeness made an exemption to overcome these issues in other cities.

Mr. Gordon stated that the City of Crestview Hills formed a committee and over a 5 month period of time discussed and came up with 5 different proposals. KRS 82.085 which allows the city to give a reduction of the property taxes. He is surprised that nobody in the city was aware of this statute and the fact that he has to do the research with no cooperation from the city.

Mayor Turner stated that they have done their best to make all the information the city has available to them and council has the final say on the issue.

Mr. Gordon asked if the city has any committees who could review this issue.

Councilman Martin stated that we do not have committees to his knowledge.

Mr. Gordon stated that they have been cooperative if he asks the right questions, however nothing has been volunteered. There is such a thing as errors of omission and errors of commission since there is a KRS that addresses this issue.

Mayor Turner advised that if council would like to form a committee that they would and review the new information.

Attorney Verst thought that this issue had been decided quite some time back. His understanding was that this was a private road. There are some cities who have gotten into this but most don't. The argument continues to be made about whether this is private. It is under a recorded plat as private. There can be a thousand KRS laws that might touch on how it operates

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but for them to accuse people of not bringing up a KRS is disingenuous. Also find it interesting that they choose to come back before council a month before the election.

Mr. Gordon advised that there was some discussion on this however if a vote had been brought up and done we would have known the outcome. However, there has been a change in dynamics with the City of Crestview Hills has made the decision. If it is able to go through a committee then this is disingenuous and should give it the attention that is due.

Mayor Turner stated that if council sees fit to create a committee then they will do it.

Mr. Gordon stated that they do not receive a full benefit of their services are entitled to receive a tax exemption.

Councilman Herald doesn't think the KRS was designed for services per dollar use.

Discussion ensued regarding the use/non-use of services being unfair.

Councilman Dinn asked Mr. Gordon if he felt that he and his neighbors are being punished on a current system that they bought into 13 years ago.

Mr. Gordon feels this puts an unfair burden on the citizens to maintain it. They have been very fortunate to have a fair amount of reserves on hand when others have went bankrupt and had to be taken over by the state.

Councilman Dinn stated that you have advised that you have a healthy association and are well funded but you cast it against disrepair and dropping property values against failed HOA's in Florida.

Councilwoman Wilson understands that this is a sensitive and tender situation and would like to see both sides come out a winner.

Councilman Martin expressed that he is not opposed to forming a committee to review.

Upon motion of Councilman Martin, seconded by, Councilwoman Wilson to form a committee to review the possibility of the city taking over and maintaining the streets of the Signal Hill Development or giving a tax exemption. Mayor Turner called for a vote.

Councilman Blankenship expressed a concern from a legal stand point with taking over private roads therefore he is abstaining.

Councilman Dinn voted yes with the condition that the city receives some cooperative copies of their records on the design of the streets, maintenance for the past 13 years and more insights on the business of their government.

Councilwoman Gearding yes on the same condition that Councilman Dinn expressed and also feels that they need to act on behalf of all the citizens and tax payers and make

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decisions on taxes that are fair to everybody who lives in the city. She is willing to look at this and all the information on a committee but is not sure it will necessarily change the outcome but is willing to look at it.

Councilman Herald yes.

Councilman Martin yes and has made the motion for a fact finding situation because there are facts that we don't have.

Councilwoman Wilson yes.

Motion carried.

Mr. Gordon asked who would be placed on the committee.

Mayor Turner stated that they will get back with him on this.

Mayor's Comments:

Annual Bluegrass Festival was a great success.

Mayor Turner announced the fall citywide yard sale will be October 8th, 9th and 10th.

Mayor advised that Cathy Kidman approached him regarding honoring a soldier each month and she will be attending the next meeting to address this issue.

Mayor announced that the city has received numerous requests about placing a recycling bin at the city building and they will also discuss this at the next meeting.

Mayor Turner read a letter from Lt. Andy Williams commending Chief Rouse on saving a woman from a potential life threatening situation. Mayor then presented Chief Rouse with a metal.

City Administrator Comments:

Mr. Vance presented council with a copy of 3 options for a new electronic sign for the city for their review.

Mr. Vance advised that he has met with Greg Lairson from Viox's office regarding a shift in property lines on the new public works facility. A RFP will be put together by the middle of the month for the salt house and addition to that building.

Council Comments:

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Councilwoman Gearding – Thanked the citizens for coming to the meeting and sharing their concerns.

Councilman Martin – Thanked the citizens for coming and thanks Chief Rouse for doing a great job.

Councilman Blankenship - Also echoed everyone's comments and thanked J R Roth for presenting his information that will be on the ballot.

He is still concerned about the slipping on Johns Hill Road. Mr. Vance will contact the state and advised it may help to contact their state officials regarding this issue also.

Councilman Dinn – Thanked everyone for coming and expressed that he would like to participate on the committee.

Councilwoman Wilson - Congratulated Chief Rouse on his metal and thanked the residents for coming down.

Councilman Herald – Thanked everyone for coming down and voicing their opinion and congratulated Chief Rouse.

City Clerk:

No comment.

Police Chief Comments:

Chief Rouse thanked everyone and expressed that it is an honor to receive this award and thanked Lt. Williams for submitting the letter to the Mayor.

Fire Chief Comments:

Chief feels that the electronic sign would be great for the city.

Chief Profitt advised that they are currently changing batteries in smoke detectors for the residents.

Chief Profitt announced that the firemen are wearing pink shirts for breast cancer awareness.

Maintenance Department:

No Comment.

Adjournment:

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Upon motion of Councilman Herald, seconded by, Councilwoman Wilson, to adjourn the meeting. Mayor Turner called for a vote. Motion carried unanimously.

Meeting adjourned at 8:00 p.m. The next meeting of the Wilder City Council will be held on October 18, 2010.

Stanley Turner – Mayor

ATTEST:

Tracy Gibson – City Clerk